

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

CANDY SOWDER,

Plaintiff,

Case No.: 3:15-cv-368

vs.

COMMISSIONER
OF SOCIAL SECURITY,

Magistrate Judge Michael J. Newman
(Consent Case)

Defendant.

ORDER AND ENTRY: (1) GRANTING THE JOINT, UNOPPOSED MOTION FOR REMAND (DOC. 10); (2) REVERSING THE ALJ'S NON-DISABILITY FINDING; (3) REMANDING THIS CASE TO THE COMMISSIONER UNDER THE FOURTH SENTENCE OF 42 U.S.C. § 405(g) FOR FURTHER ADMINISTRATIVE PROCEEDINGS; (4) DIRECTING THE CLERK TO ENTER JUDGMENT IN FAVOR OF PLAINTIFF; AND (5) TERMINATING THIS CASE ON THE COURT'S DOCKET

This Social Security disability benefits appeal is presently before the undersigned for disposition based upon the parties' consent. Doc. 8. The parties jointly move for an Order remanding this case for further administrative proceedings pursuant to the Fourth Sentence of 42 U.S.C. § 405(g), and for the entry of judgment pursuant to Fed. R. Civ. P. 58. Doc. 10. The parties state that, upon remand, the Appeals Council will vacate all findings in the Administrative Law Judge's decision; and the Commissioner will conduct further proceedings and develop the administrative record as necessary to determine whether Plaintiff is disabled within the meaning of the Social Security Act. *Id.*

For good cause shown, and because the requirements of a Sentence Four remand have been satisfied, **IT IS ORDERED THAT:** (1) the parties' joint, unopposed motion for a Sentence Four remand (doc. 10) is **GRANTED**; (2) the ALJ's non-disability finding is **REVERSED**; (3) this case is **REMANDED** to the Commissioner under the Fourth Sentence of 42 U.S.C. § 405(g)

for further proceedings; and (4) this case is **TERMINATED** upon the Court's docket. The Clerk is **ORDERED** to enter judgment in favor of Plaintiff.

IT IS SO ORDERED.

Date: March 23, 2016

s/ Michael J. Newman
Michael J. Newman
United States Magistrate Judge